

FOR PUBLICATION
UNITED STATES COURT OF APPEALS
FOR THE NINTH CIRCUIT

JEROME FEITELBERG, On Behalf of
Himself, All Others Similarly
Situating, And The General Public,
Plaintiff-Appellant,

v.

MERRILL LYNCH & Co., a Delaware
Corporation; THOMAS MAZZUCCO;
HENRY BLODGET,
Defendants-Appellees.

No. 02-17236
D.C. No.
CV-02-03072-MHP
ORDER

Appeal from the United States District Court
for the Northern District of California
Marilyn H. Patel, District Judge, Presiding

Argued and Submitted
December 5, 2003—San Francisco, California

Filed December 24, 2003

Before: Myron H. Bright,* Dorothy W. Nelson, and
Pamela Ann Rymer, Circuit Judges.

COUNSEL

Solomon B. Cera, Gold Bennett Cera & Sidener LLP, San
Francisco, California, for the plaintiff-appellant.

*Honorable Myron H. Bright, Senior United States Circuit Judge for the
Eighth Circuit, sitting by designation.

Jonathan C. Dickey, Gibson, Dunn & Crutcher LLP, Palo Alto, California, for the defendants-appellees.

ORDER

We affirm for reasons stated by the district court in its opinion, *Feitelberg v. Merrill Lynch & Co., Inc.*, 234 F. Supp. 2d 1043 (N.D. Cal. 2002).*

AFFIRMED.

*We deny Feitelberg's Request for Judicial Notice and Merrill Lynch's request for sanctions.

PRINTED FOR
ADMINISTRATIVE OFFICE—U.S. COURTS
BY WEST—SAN FRANCISCO

The summary, which does not constitute a part of the opinion of the court, is copyrighted
© 2003 by West, a Thomson Company.